



BTA1217  
(10/03)

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

GUIDE FOR ARTICLES OF RESTATEMENT OF THE ARTICLES OF TRUST  
OF A DOMESTIC BUSINESS TRUST

CERTIFICATE TO THE ARTICLES OF RESTATEMENT OF

\_\_\_\_\_  
*(business trust's name as currently on record with the SCC)*

The undersigned domestic business trust, pursuant to Title 13.1, Chapter 14, Article 2 of the Code of Virginia, hereby executes the following certificate to the articles of restatement and sets forth:

1. The name of the domestic business trust is \_\_\_\_\_  
*(name currently on record with the SCC)*.
2. The *(amended and)* restated articles of trust are attached hereto.
3. The restatement of the articles of trust was adopted on \_\_\_\_\_  
*(date)*.
4. The restatement of the articles of trust was adopted in accordance with the articles of trust and the governing instrument of the business trust.
5. The undersigned *(trustee, officer, or court-appointed fiduciary of the business trust [indicate appropriate title below])* executes this certificate to the articles of restatement in the name of the domestic business trust and declares that the facts herein stated are true as of \_\_\_\_\_  
*(date)*.

\_\_\_\_\_  
*(signature)*

\_\_\_\_\_  
*(title)*

\_\_\_\_\_  
*(printed name)*

\_\_\_\_\_  
*(telephone number (optional))*

\_\_\_\_\_  
*(business trust's SCC ID no.)*

THIS FORM IS TO BE USED AS A GUIDE ONLY.

SEE INSTRUCTIONS ON THE REVERSE

## NOTE

The format suggested by this form to make the articles of restatement an attachment to the restatement certificate contemplated by § 13.1-1217 is not mandatory. Other formats are acceptable, including articles of restatement that set forth the information required for the restatement certificate within the body of the articles.

The registered office and/or registered agent cannot be changed by filing articles of restatement to the articles of trust. This change must be accomplished by filing a statement of change of a registered office and/or registered agent on form BTA1221. This form can be requested by contacting the Clerk's Office of the State Corporation Commission at the telephone numbers shown below or at [www.e-scc.state.va.us/fee\\_corp\\_formrequest.cfm](http://www.e-scc.state.va.us/fee_corp_formrequest.cfm).

## INSTRUCTIONS

Form BTA1217 has been produced by the Commission as a guide to help you prepare the business trust's certificate to the articles of restatement. Please note, however, that this form will not be accepted with the blanks filled in. You must separately type the certificate and the articles, using this form as a guide, inserting appropriate information and omitting unneeded provisions.

The articles must be in the English language, typewritten or printed in black, legible and reproducible. The document must be presented on uniformly white, opaque paper, free of visible watermarks and background logos.

You can download this form from our website at [www.state.va.us/scc/division/clk/index.htm](http://www.state.va.us/scc/division/clk/index.htm).

The restatement may include one or more amendments to the articles of trust. If an amendment is included, title the restated articles "Amended and Restated Articles of Trust."

Attach the (amended and) restated articles of trust to the certificate.

The restatement must be adopted by the sole trustee, a majority of the trustees, or as otherwise provided in the articles of trust or in the governing instrument. See § 13.1-1217 of the Code of Virginia.

The articles of restatement must be signed by a trustee or officer of the business trust, or if the business trust is in the hands of a receiver, trustee or other court appointed fiduciary, by that fiduciary. See § 13.1-1202 of the Code of Virginia.

***It is a Class 1 misdemeanor for any person to sign a document he knows is false in any material respect with intent that the document be delivered to the Commission for filing.***

**Pursuant to § 13.1-1255 of the Code of Virginia, the Commission cannot file or issue with respect to any business trust any certificate referred to in the Virginia Business Trust Act until all fees to be collected by the Commission under the Act have been paid by or on behalf of such business trust.**

Submit the original, signed certificate to the articles of restatement along with the restated articles to the Clerk of the State Corporation Commission, P.O. Box 1197, Richmond, Virginia 23218-1197, (Street address: 1300 East Main Street, Tyler Building, 1<sup>st</sup> Floor, Richmond, Virginia 23219), along with a check for the filing fee in the amount of **\$25.00**, payable to the State Corporation Commission. **PLEASE DO NOT SEND CASH.** If you have any questions, please call (804) 371-9733 or toll-free in Virginia, 1-866-722-2551.